

REMARKS

In the Final Office Action¹, the Examiner rejected claims 62 and 63 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,721,736 to Krug et al. ("*Krug*"); rejected claim 64 under 35 U.S.C. § 103(a) as being unpatentable over *Krug* in view of the "XBRL Specification" by Hamscher et al. ("*Hamscher*"); rejected claims 1, 2, 5, 6, 11-18, 21, 24-31, 34, 37-43, 46, 49-55, and 59-61 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,370,549 to Saxton ("*Saxton*") in view of U.S. Patent Application Publication No. 2002/0052954 to Polizzi et al. ("*Polizzi*"); rejected claims 3, 4, 19, 20, 32, 33, 44, 45, 56, and 57 under 35 U.S.C. § 103(a) as being unpatentable over *Saxton*, in view of *Polizzi*, and further in view of *Hamscher*, and rejected claims 8-10, 23, 36, 47, 48, and 58 under 35 U.S.C. § 103(a) as being unpatentable over *Saxton*, in view of *Polizzi*, and further in view of U.S. Patent No. 6,134,563 to Clancey et al. ("*Clancey*").

Applicants have amended claims 1, 17, 29, 30, 42, 54, and 62. Claims 1-6, 8-21, 23-34, and 36-64 are currently pending.

I. Regarding the rejection of claims 62 and 63 under 35 U.S.C. § 102(e) as being anticipated *Krug*

Applicants respectfully traverse the rejection of claims 62 and 63 under 35 U.S.C. § 102(e) as anticipated by *Krug*. In order to properly establish that *Krug* anticipates Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

under principles of inherency, in that single reference. Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 62 recites a data processing system, comprising:

a parser . . . and
a manager that:
provides for the creation of a second hierarchy of the software elements, and
provides for the restructuring of the first hierarchy and the second hierarchy into software structures corresponding to a new text document.

Krug discloses a meta search engine wherein “a search response provided from a primary search engine in a search response representation is processed by the meta search engine” (col. 3, lines 30-32). An “HTML search response document 10 is returned by a primary search engine 6” (col. 7, lines 47-48 and Fig. 2 and 3). A syntax tree parser 20 “analyses the HTML syntax structure of the search result document by recognizing the HTML tags within the document and constructing a hierarchical HTML syntax tree that represents the hierarchical relationship of the syntax elements (tags)” (col. 8, lines 23-27).

Even assuming that the hierarchical relationship of the syntax elements in *Krug* constitutes the claimed “hierarchy of the software elements,” which Applicants do not concede, only one hierarchical relationship exists in *Krug*. Therefore, *Krug* does not teach the claimed “creation of a second hierarchy of the software elements.” Thus, *Krug* does not teach or suggest a manager that “provides for the creation of a second hierarchy between the software elements, and provides for the restructuring of the first

hierarchy and the second hierarchy into software structures corresponding to a new text document," as recited in claim 62.

Krug fails to teach or suggest at least these elements. Accordingly, *Krug* cannot anticipate claim 62, nor can the reference render the claim obvious. Claim 63 is also allowable at least because it depends from independent claim 62.

II. Regarding the rejection of claim 64 under 35 U.S.C. § 103(a) as being unpatentable over *Krug* in view of the *Hamscher*

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 64 under 35 U.S.C. § 103(a) because a *prima facie* case of obviousness has not been established with respect to this claim.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. § 2143.03 (8th ed., rev. 3, Aug. 2005). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a reasonable expectation of success must exist. Moreover, each of these requirements must "be found in the prior art, not in applicant's disclosure." M.P.E.P. § 2143 (8th ed., rev. 3, Aug. 2005).

A *prima facie* case of obviousness has not been established because, among other things, neither *Krug* nor *Hamscher*, taken alone or in combination, teach or suggest each and every element recited by Applicants' claim.

Claim 64 depends from claim 62 and therefore includes all of the elements recited therein. The Examiner admits that *Krug* does not “disclose wherein the one or more text documents are XBRL documents” (Final Office Action at page 4). However, the Examiner relies on *Hamscher* for allegedly teaching this claimed element (Final Office Action at page 4).

Even assuming this allegation is true, which Applicants do not concede, *Hamscher* fails to cure the deficiencies of *Krug* discussed above. *Hamscher* is directed to a XBRL specification for defining XBRL elements and attributes that can be used in the creation, exchange, and comparison tasks of financial reporting (Abstract). *Hamscher* does not teach or suggest a manager that “provides for the creation of a second hierarchy between the software elements, and provides for the restructuring of the first hierarchy and the second hierarchy into software structures corresponding to a new text document,” as recited in independent claim 62 and required by dependent claim 64.

Therefore, *Hamscher* fails to cure the above-identified deficiencies of *Krug*, and Applicants respectfully request that the Examiner withdraw the rejection of claim 64 under 35 U.S.C. § 103(a).

III. Regarding the rejection of claims 1, 2, 5, 6, 11-18, 21, 24-31, 34, 37-43, 46, 49-55, and 59-61 under 35 U.S.C. § 103(a) as being unpatentable over *Saxton* in view of *Polizzi*

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1, 2, 5, 6, 11-18, 21, 24-31, 34, 37-43, 46, 49-55, and 59-61 because a *prima facie* case of obviousness has not been established with respect to these claims.

Claim 1 recites a data processing system comprising, for example:

a parser . . .
a manager that provides for the creation of a second hierarchical relationship between the software elements, and the restructuring of the first hierarchical relationship and the second hierarchical relationship into software structures corresponding to a new text document;

Saxton discloses receiving a file location request from a program module and responding with a file location identifying the location of one or more component files within a directory tree structure (col. 2, lines 17-19). The Examiner admits that *Saxton* does not disclose “an editor that develops a report by referencing the software elements created from the one or more text documents to form a structure of the report and retrieves data from one or more sources to represent one or more values within the report, wherein a mapper generates a relationship between the data from the one or more sources and the one or more values to be placed within the report” (Final Office Action at page 5). However, the Examiner relies on *Polizzi* for allegedly teaching these claimed elements (Final Office Action at page 5).

Polizzi does not cure the deficiencies of *Saxton*. *Polizzi* discloses a “computer system [that] uses a portal architecture to allow a user to view a wide variety of content retrieved from a variety of different computer systems” (paragraph 0004). Repository 235 “is used as a storage device for all information that is to be stored in the portal system” (paragraph 0024). These objects, which may include HTML files, job output reports, executable job files, image files, etc., are stored in repository 235 and arranged “in a hierarchy called categories” (paragraph 0024). *Polizzi* also discloses that a job may produce an output report that may be stored in repository 235 after the job is

complete (paragraph 0025). The output report may be based upon retrieved data (Abstract).

Polizzi does not teach the claimed "manager." Therefore, *Polizzi* does not teach or suggest "a manager that provides for the creation of a second hierarchical relationship between the software elements, and the restructuring of the first hierarchical relationship and the second hierarchical relationship into software structures corresponding to a new text document," as recited in claim 1.

Accordingly, *Saxton* and *Polizzi* fail to establish a *prima facie* case of obviousness with respect to claim 1, at least because the references fail to teach each and every element of the claim. Claims 2, 5, 6, and 11-16 depend from claim 1 and are thus also allowable for at least the same reasons as claim 1.

Independent claims 17, 29, 30, 42, and 54, though of different scope from claim 1, recite limitations similar to those set forth above with respect to claim 1. Claims 17, 29, 30, 42, and 54 are therefore allowable for at least the reasons presented above. Claims 18, 21, 24-29, 31, 34, 37-41, 43, 46, 49-53, 55, and 59-61 are also allowable at least due to their dependence from claims 17, 29, 30, 42, and 54 respectively.

IV. Regarding the rejection of claims 3, 4, 19, 20, 32, 33, 44, 45, 56, and 57 under 35 U.S.C. § 103(a) as being unpatentable over *Saxton*, in view of *Polizzi*, and further in view of *Hamscher*

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 3, 4, 19, 20, 32, 33, 44, 45, 56, and 57 because a *prima facie* case of obviousness has not been established with respect to these claims.

The Examiner admits that the combination of *Saxton* and *Polizzi* does not disclose "wherein the one or more text documents are XBRL documents" and "wherein

the parser creates the software elements having the format with the hierarchal relationship by interpreting tags included in the one or more text documents” (Final Office Action at page 10). However, the Examiner relies on *Hamscher* for allegedly teaching these claimed elements (Final Office Action at page 10).

Even assuming this allegation is true, which Applicants do not concede, *Hamscher* fails to cure the deficiencies of *Saxton* and *Polizzi* discussed above. As previously stated, *Hamscher* is directed to a XBRL specification for defining XBRL elements and attributes that can be used in the creation, exchange, and comparison tasks of financial reporting (Abstract). *Hamscher* does not teach or suggest “a manager that provides for the creation of a second hierarchical relationship between the software elements, and the restructuring of the first hierarchical relationship and the second hierarchical relationship into software structures corresponding to a new text document,” as recited in claim 1, and similarly recited in claims 17, 29, 30, 42, and 54.

Therefore, *Hamscher* fails to cure the above-identified deficiencies of *Saxton* and *Polizzi*, and Applicants respectfully request that the Examiner withdraw the rejection of claims 3, 4, 19, 20, 32, 33, 44, 45, 56, and 57 under 35 U.S.C. § 103(a).

V. Regarding the rejection of claims 8-10, 23, 36, 47, 48, and 58 under 35 U.S.C. § 103(a) as being unpatentable over *Saxton*, in view of *Polizzi*, and further in view of *Clancey*

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 8-10, 23, 36, 47, 48, and 58 because a *prima facie* case of obviousness has not been established with respect to these claims.

The Examiner admits that the combination of *Saxton* and *Polizzi* does not disclose “wherein one more templates are used to develop the report, which contain

data that is directly inserted into the report and instructions enabling data from the one or more sources to be inserted into the report” (Final Office Action at page 11).

However, the Examiner relies on *Clancey* for allegedly teaching these claimed elements (Final Office Action at page 11).

Even assuming this allegation is true, which Applicants do not concede, *Clancey* fails to cure the deficiencies of *Saxton* and *Polizzi* discussed above. *Clancey* discloses “a computer-implemented method of creating and editing a document containing one or more terms” (col. 1, lines 41-43). *Clancey* does not teach or suggest “a manager that provides for the creation of a second hierarchical relationship between the software elements, and the restructuring of the first hierarchical relationship and the second hierarchical relationship into software structures corresponding to a new text document,” as recited in claim 1, and similarly recited in claims 17, 29, 30, 42, and 54.

Therefore, *Clancey* fails to cure the above-identified deficiencies of *Saxton* and *Polizzi*, and Applicants respectfully request that the Examiner withdraw the rejection of claims 8-10, 23, 36, 47, 48, and 58 under 35 U.S.C. § 103(a).

VI. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

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Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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